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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,996	08/22/2003	Masayasu Fujii	FP03-049US	1590
1218	7590	09/09/2004	EXAMINER	
CASELLA & HESPOS 274 MADISON AVENUE NEW YORK, NY 10016			NGUYEN, CHAU N	
			ART UNIT	PAPER NUMBER
			2831	
DATE MAILED: 09/09/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/646,996	<b>Applicant(s)</b> FUJII ET AL.	
	<b>Examiner</b> Chau N Nguyen	<b>Art Unit</b> 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 is/are allowed.
- 6) ☒ Claim(s) 1-7, 11 and 14 is/are rejected.
- 7) ☒ Claim(s) 8-10, 12, 13 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                                             |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                                        | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/22/03 &amp; 12/11/03</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of Species 3, Claims 1-20 in the reply filed on July 19<sup>th</sup> 2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### ***Claim Objections***

2. Claims 4 and 7 are objected to because of the following informalities: in claim 4, line 2, "the reinforcing plates" lacks antecedent basis; in claim 7, lines 1-2, "at least one flat reinforcing plate" is unclear to how this relates to "at least one reinforcing plate" already recited in claim 1. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 2, 7, 11 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ota et al. (6,670,555).

Ota et al. discloses a terminal fitting made of a conductive plate material stamped out into a specified shape, comprising a main body (11), a coupling (13) extending from an outer peripheral edge of the main body, and a wire connection portion extending from an extending end of the coupling, wherein the coupling has reinforcing means formed by folding at least one reinforcing plate (12) (re claim 1). Ota et al. also discloses the at least one reinforcing plate being folded at lateral edge of the coupling (re claim 2), the at least one reinforcing plate being placed on the coupling, the coupling and the reinforcing plate having displacement

preventing means (flap 13c being crimped onto the portion 12c of the reinforcing plate) engaged with each other for preventing displacements of the coupling and the reinforcing plate along a thickness direction and displacements along directions parallel to facing surface thereof (re claim 7), the displacement preventing means including at least one cut (the cut out portion 12c) and at least one fastener (13c) (re claim 11), the terminal further comprising return preventing means (11a) in the main body for holding the terminal fitting assembled with a second terminal fitting (re claim 14).

5. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoue (4,371,230).

Inoue discloses a terminal fitting made of a conductive material, comprising a main body (3), a coupling (5) extending from an outer peripheral edge of the main body, and a wire connection portion extending from an extending end of the coupling, wherein the coupling has reinforcing means formed by folding at least one reinforcing plate (8) (re claim 1). Inoue also discloses the at least one reinforcing plate being folded at lateral edge of the coupling (re claim 2), the coupling being formed with side walls (9,9') standing up along lateral edges thereof (re claim 3), the side walls and the reinforcing plate being substantially continuous

with each other along the lateral edges of the coupling (re claim 4), the wire connection portion being a barrel with a bottom plate (6) substantially continuous with the coupling and crimping pieces standing up from lateral edges of the bottom plate, the crimping pieces and the side walls being substantially continuous with each other along the lateral edges of the coupling (re claim 5).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35

U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ota et al. in view of Yamamoto (4,832,620).

Claim 6 additionally recites the coupling being formed with a narrow reinforcing rib extending substantially along an extending direction of the coupling. Yamamoto discloses a terminal fitting comprising a coupling which is formed with a narrow reinforcing rib (4', Figure 1) extending substantially along an extending direction of the coupling. It would have been obvious to one skilled in the art to provide the coupling of Ota et al. with a narrow reinforcing rib extending substantially along an extending direction of the coupling as taught by Yamamoto to provide a good electrical contact between the coupling and the reinforcing plate when it is folded onto the coupling.

***Allowable Subject Matter***

9. Claims 16-20 are allowed.

10. Claims 8-10, 12, 13 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or suggest a terminal fitting comprising all the features as recited in the claims and in combination with the displacement preventing means including an engaging hole and an engaging projection, the engaging hole being formed in one of the coupling and the reinforcing plate in an area where the reinforcing plate is placed on the coupling (re claim 8), the cut of the displacement preventing means being formed by cutting off an edge of one of the coupling and the reinforcing plate and having two edges substantially facing each other along a longitudinal direction (re claim 12), the return preventing means including a return preventing hole in one of the terminal fittings and a return preventing projection at the other thereof, each return preventing projection being formed by cutting and bending and opposite ends of a cut side of each return preventing projection being coupled to the main body (re claim 15), the main body having layered structure formed by folding a single plate which is substantially continuous with the reinforcing plate which is formed the reinforcing means for the coupling, the first terminal fitting being assembled with the second terminal fitting so that the second main body is held between the first main body and the first lock and the first main body is held between the second main body and the second lock (re claim 16).



### *Communication*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N Nguyen whose telephone number is 571-272-1980. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Chau N Nguyen", with a long horizontal flourish extending to the right.

Chau N Nguyen  
Primary Examiner  
Art Unit 2831